



1634

Rev. 04/01

Docket No. AEOMICA-X-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Penn et al.  
Application No.: 09/864,761 Confirmation No.: 6802  
Filed: : May 23, 2001  
For: : HUMAN GENOME-DERIVED SINGLE EXON NUCLEIC  
ACID PROBES USEFUL FOR GENE EXPRESSION  
ANALYSIS  
Group Art Unit : 1634  
Examiner : Jeanine Anne Goldberg

Hon. Commissioner  
for Patents  
c/o P.O. Box 2327  
Arlington, VA 22202

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TRANSMITTAL LETTER FOR  
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith is a Supplemental Information  
Disclosure Statement in the above-identified application.

This Statement is submitted:

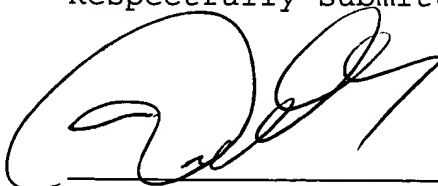
- ☐ [ ] within three months of the application filing date;
- ☒ [X] more than three months from the application filing date but before the mailing date of the first Office Action on the merits.

In accordance with 37 C.F.R. § 1.97, submission of  
this Statement requires no fee. However, if for any reason  
a fee is due, the Director is hereby authorized to charge

payment of any fees required in connection with this  
Information Disclosure Statement to Deposit Account  
No. 06-1075. A duplicate copy of this letter is transmitted  
herewith.

Respectfully submitted,

2 OCT 2002



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PATENTS  
AEOMICA-X-1

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98,  
applicants hereby make the following documents of record in  
the above identified application: \*

U.S. Patents

5,942,417	08/1999	Jian et al.
5,879,898	03/1999	Tarin et al.
5,618,671	04/1997	Lindstroem

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\* Applicants reserve the right to challenge the status of any  
of the cited documents as prior art.

### Foreign Patents

WO 01/09369	02/2001	WIPO
WO 99/67422	12/1999	WIPO
WO 99/39004	08/1999	WIPO
WO 99/33979	07/1999	WIPO
WO 99/23254	05/1999	WIPO
WO 99/23252	05/1999	WIPO
WO 99/15701	04/1999	WIPO
WO 98/30722	07/1998	WIPO
WO 98/18966	05/1998	WIPO
WO 98/02576	01/1998	WIPO
WO 98/01148	01/1998	WIPO
WO 92/13075	08/1992	WIPO
EP 1 043 405	10/2000	EP
EP 0 321 362	06/1989	EP
JP 11 169172	06/1999	JP
JP 03 147799	06/1991	JP

### Other Documents

Adams et al., "3,400 Expressed Sequence Tags Identify Diversity of Transcripts in Human Brain," *Nature Genetics* 4(3): 256-267 (July 1993).

Adams et al., "Use of Random BAC End Sequence Database for Sequence Ready Map Building," *Database EMBL Online!*: Database Accession Number B57793.

Benit et al., "Cloning of a New Murine Endogenous Retrovirus MuERV-L with Strong Similarity to the Human HERV-L Element and with a Gag Coding Sequence Closely Related to the Fv1 Restriction Gene," *Journal of Virology* 71(7): 5652-5657 (1 July 1997).

Chin et al., "Structure and Expression of the Human MDR (P-Glycoprotein) Gene Family," *Molecular and Cellular Biology* 9(9): 3808-3820 (September 1989).

Church et al., "Isolation of Genes from Complex Sources of Mammalian Genomic DNA Using Exon Amplification," *Nature Genetics* 6: 98-105 (1994).

Datson et al., "Scanning for Genes in Large Genomic Regions: Cosmid Based Exon Trapping of Multiple Exons in a Single Product," *Nucleic Acids Research* 24(6): 1105-1111.

Dickhoff et al., "Sequencing of Human Chromosome 14q31 Region," *Database EMBL Online!*: Accession Number AC007372 (27 April 1999).

Eisen et al., "Cluster Analysis and Display of Genome-Wide Expression Patterns," *Proc. Nat'l Acad. Sci. USA* 95: 14863-14868 (December 1998).

Ermak et al., "Restricted Patterns of CD44 Variant Exon Expression in Human Papillary Thyroid Carcinoma," *Cancer Research* 56(1): 1037-1042 (01 March 1996).

Guan et al., "GRAIL: An Integrated Artificial Intelligence System for Gene Recognition and Interpretation," *Proceedings of the Conference on Artificial Intelligence Applications* 8: 9-13 (2 March 1992).

Heilig et al., "Sequencing of the Human Chromosome 14," *Database EMBL Online!*: ID CNS0000F (11 May 1999).

Hillier et al., "The WashU-Merck EST Project," *Database EMBL Online!*: Accession Number R17795; ID HS79582 (22 April 1995).

Hudson, T., "Whitehead Institute/MIT Center for Genome Research; Physically Mapped ESTs," *Database EMBL Online!*: Accession Number GO6348 (June 1995).

Kirszenbaum et al., "An Alternatively Spliced Form of HLA-G mRNA," *Proc. Nat'l Acad. Sci. USA* 91: 4209-4213 (1 May 1994).

Liew et al., "A Catalogue of Genes in the Cardiovascular System as Identified by Expressed Sequence Tags," *Proc. Nat'l Acad. Sci. USA* 91: 10645-10649 (October 1994).

Lipshutz et al., "High Density Synthetic Oligonucleotide Arrays," *Nature Genetics* 21: 20-24 (1991).

MacKay et al., "Expression and Modulation of CD44 Variant Isoforms in Humans," *Journal of Cell Biology* 124(1/2): 71-82 (1994).

Mahairas et al., "Construction of a Characterized Clone Resource for Genomic Sequencing," *Database EMBL Online!*: IDAQ750225 (20 July 1999).

Marra et al., "The WashU-HHMI Mouse EST Project," *Database EMBL Online!*: Accession Number AA413898 (9 March 1997).

Masuya et al., "Map Kinase-Independent Induction of Proto-Oncogene c-fos mRNA by Hemin in Human Cells," *Biochemical and Biophysical Research Communications* 260(1): 289-295 (June 1999).

Mungall et al., "Homo Sapiens Flow-Sorted Chromosome 6 TaqI Fragment," *Database EMBL Online!*: Accession Number HSPA10C6 (5 August 1996).

Noble et al., "Prostaglandin E-2 Stimulates Aromatase Expression in Endometriosis-Derived Stromal Cells," *Journal of Clinical Endocrinology and Metabolism* 82(2): 600-606 (1997).

O'Connor et al., "Abnormalities of the ETV6 Gene Occur in the Majority of Patients with Aberrations of the Short Arm of Chromosome 12: A Combined PCR and Southern Blotting Analysis," *Leukemia* 12(7): 1099-1106 (July 1998).

Penn et al., "Mining the Human Genome Using Microarrays of Open Reading Frames," *Nature Genetics* 26(3): 315-318 (November 2000).

Robbins et al., "2006 Expressed-Sequence Tags Derived from Human Chromosome 7-Enriched cDNA Libraries," *Database EMBL Online!*: Database Accession Number AA078318.

Screaton et al., "Genomic Structure of DNA Encoding the Lymphocyte Homing Receptor CD44 Reveals at Least 12 Alternatively Spliced Exons," *Proc. Nat'l Acad. Sci. USA* 89(24): 12160-12164 (15 December 1992).

Stauder et al., "Different CD44 Splicing Patterns Define Prognostic Subgroups in Multiple Myeloma," *Blood* 88(8): 3101-3108 (1996).

Steenbergh et al., "Complete Nucleotide Sequence of the High Molecular Weight Human IGF-I Messenger RNA," *Biochemical and Biophysical Research Communications* 175(2): 507-514 (1991).

Stephan et al., "Positional Cloning Utilizing Genomic DNA Microarrays: The Niemann-Pick Type C Gene as a Model System," *Molecular Genetics and Metabolism* 70: 10-18 (May 2000).

Takahashi et al., "High-Density cDNA Filter Analysis of the Expression Profiles of the Genes Preferentially Expressed in Human Brain," *Gene* 164(2): 219-227 (27 October 1995).

Xu et al., "Distinct Transcription Start Sites Generate Two Forms of BRCA1 mRNA," *Human Molecular Genetics* 4(12): 2259-2264 (1995).

Yasojima et al., "Tangled Areas of Alzheimer Brain Have Upregulated Levels of Exon 10 Containing Tau MRNA," *Brain Research* 831(1/2): 301-305 (1999).

Ziegler et al., "Single-Cell cDNA-PCR: Removal of Contaminating Genomic DNA from Total RNA Using Immobilized DNase I," *BioTechniques* 13(5): 726-729 (1992).

Copies of the aforementioned documents, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), are enclosed herewith.

It is respectfully requested that these documents be (1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) printed on any patent that may issue on this application. Applicants request that a copy of Form PTO-1449 (submitted in duplicate herewith), as considered and initialed by the Examiner, be returned with the next communication.

An early and favorable action is respectfully requested.

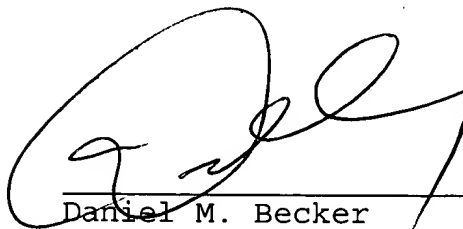
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